

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

KENNETH MODICA

PLAINTIFF

VS.

CASE NO. 05-CV-1087

PAPER ALLIED INDUSTRIAL, CHEMICAL
& ENERGY WORKERS INTERNATIONAL
UNION AFL-CIO, an international labor
organization and various JOHN DOES, agents
employees, and/or officers of the Union

DEFENDANTS

ORDER

Before the Court is a Motion to Dismiss filed on behalf of Arkansas AFL-CIO. (Doc. No. 18). The Plaintiff has not responded to the motion. Upon consideration, the Court finds that Arkansas AFL-CIO is an improper party to this action and is not subject to the jurisdiction of Section 301 of the Labor-Management Relations Act of 1947, 28 U.S.C. §185, on which Plaintiff bases his claim. Therefore, the Court finds that the Motion to Dismiss should be and hereby is **granted**. Plaintiff's Complaint against the Arkansas AFL-CIO and the Arkansas State AFL-CIO Building Corporation is hereby dismissed.

IT IS SO ORDERED, this 29th day of August, 2006.

/s/Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge